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In Re: 09/415,696, filed 10/12/1999

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:  
Wright et al.

Application No.: 09/415,696

Filed: October 12, 1999

For: RECLOSABLE FASTENER  
PROFILE SEAL AND METHOD OF  
FORMING A FASTENER PROFILE  
ASSEMBLY

Examiner: Jes Pascua

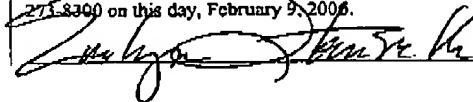
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**COMMUNICATION**

In response to the telephone communication with Tina Lee, Appellant is submitting herewith the Evidence Appendix and the Related Proceedings Appendix for the above identified matter.

Respectfully submitted,

Date: 2/9/06

By: Robert S. Beiser

Robert S. Beiser

Registration No. 28,687

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ix. **Evidence Appendix**

Evidence entered by the Examiner and relied on by appellant:

1. U.S. Patent No. 5,071,689 issued to Paul A. Tilman cited by the Examiner in the Office Action of October 24, 2003;
2. Declaration of Tilman submitted September 10, 2003 and entered by the Examiner on October 24, 2003;
3. *Webster's New Collegiate Dictionary*, specifically, the definition of "airtight" cited in the Applicant's Amendment filed on August 30, 2004, not entered by the Examiner, but cited in the Examiner's Answer of September 28, 2005;
4. U.S. Patent No. 3,986,914 issued to Howard cited by the Examiner in the Office Action of October 24, 2003;
5. U.S. Patent No. 6,033,113 issued to Anderson cited by the Examiner in the Office Action of October 24, 2003;
6. *Webster's New Collegiate Dictionary*, specifically, the definition of "barrier" as cited in the Appellant's Reply Brief submitted on November 21, 2005.

CHICAGO/1470493.1

**X. Related proceedings appendix.**

Appeal No. 2003-0068 filed June 17, 2002. Appellant includes:

The inventors - Donald K. Wright, Christine Pemberton, and James Hankins

The Assignee - Com-Pac International, Inc.

Legal Representative - Robert S. Beiser

Application No. 09/415,696.

CHICAGO#1470493.1